File No 37 - 11

Serial Nos.

190

GENERAL AND REVENUE SECRETARIAT

(Legislation)

Part A: Manuscript

~~for~~

Subject Destructive Insects and Pests Bill

Serial Nos. 1 - 12

G.R.S. III—5

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

The accompanying MS. relating to the Regulation to prevent the spreading of plant-disease may be sent to the multigraph section for printing

Submitted

Bur
21/4 [illegible]

The multigraph section

Recd on 21st April 1921
multigraph. Ol: A.459

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

1914-15

File No. 37 of 1914-15

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

PROCEEDINGS OF THE GENERAL AND REVENUE SECRETARIAT.

JUDICIAL AND LEGISLATIVE

(Legislation)

"A" Collection: Serials Nos. 1-12

A Regulation to prevent the spreading of Plant-diseases

TABLE OF CONTENTS.

Serial No.	Number and date of letter and contents.	Reference.	Page in A proceeding
	Letter No 7244, dated 30th October 1914 from the Director of Agriculture in Mysore. Forwards for communication of Govt. in the Legislative department a draft Regulation to prevent the spreading of plant diseases		
	Letter No. J. 660 dated 16th August 1916 to the Director of Agriculture in Mysore ~~Forwards a draft of a Bill~~ Forwards a copy of the Bill which has been ordered to be placed before the Legislative Council in due course.		

Continued

Serial No	No & date of letter and contents	Reference	Page in Proceedings
3	D.O Letter No 4255, dated 19.8.1916 from the ~~First Assistant to~~ Secretary to the Hon'ble the Resident in Mysore. Forwards a copy of a ~~Regulation~~ Bill to prevent the spreading of plant-disease with statement of objects and reasons and informs that the same will be placed before the Legislative Council in due course.		
4	Letter No 64/5, dated 21st August 1916, from the Director of Agriculture in Mysore furnishes his observations on certain provisions made in the draft Regulation		
	D.O. No. 6066, dated 28th August 1916. from the First Assistant to the Hon'ble the Resident in Mysore, to the Dewan of Mysore. Informs that there appears to be no *prima facie* objection to the being placed before the Legislative Council		
	Letter No. J 1239, dated 4 October 1916, from the Director of Agriculture in Mysore Calls for additional information regarding the Madras Pests Bill referred to in his letter dated 21st August 1916.		

Continued

Serial No	Number and date of letter with contents.	Reference	Page in 'A' Proceedings
	Letter No 720 /5, dated 2/3rd November 1916 to the Director of Agriculture in Mysore Forwards Statement that the Madras Bill has been sent to the Government of India for permission to introduce it into the Madras Legislative Council		
	Letter No 624, dated 1st July 1914 from the President, Malnad Land-Holders' Association, Hosahoppa Forwards for the consideration of the Legislative Council a resolution of the Malnad Land Holders' Association protesting against the introduction of the Deeds Regulation into Mysore.		
	D.O. No. 83, dated 30th August 1917 from the Director of Agriculture in Mysore Suggests that Clause 3 of the Destruction Breeds & Deeds Bill may be amended so as to provide for the cancellation of a notification issued thereunder		
	D.O. Letter No 7921 dated 7th September 1917 to the Director of Agriculture in Mysore Informs him that the amendment suggested by him is unnecessary		

Continued

Serial No.	Number and date of letter with contents.	Reference to Page in 'A' Procee

in view of the fact that Government have power under Section 21 of the General Clauses Regulation, to rescind add to, amend or vary any notification issued under the Regulation

Telegram dated 28th ~~Octr~~ September 19 from the President, Kalnad Land-Holders' Association, Nosakoppa

Represents that the hardships that may result by passing the Regulation and requests a re consideration of the Bill

G.O No. J 1334, ~~dated~~ dated 13th October 19 to the Compiler Mysore Gazette

directs the publication of the Bill as Regulation No. VII of 1917

G. R. S. 11] 191 7.

GENERAL AND REVENUE SECRETARIAT.

(Legis)

NOTES.

File No. 37-14

FILE HEADING.

Destructive Insects and Pests Bill

From

No.	Dated	Received

Diary No.	Enclos.	Spare Copies.	Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

NOTES—First Sheet.

G.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Leg Dept (Jmls. 36-14)

Dr Coleman has told me that he is intending to send up some proposals about a Noxious Weeds & Pests Regulation for Mysore.

In the meanwhile, please get together any Acts or Rules that may be in force in other agl. Countries & let me have a note about them

H.V.N

Bkgs. III

Dr 3 days, please

18/9/14

D. M. Navaratnaga Rao

2019

3. Please put up all reference available from charity statistics in Volume Comparative Leg. Mem.

B 22/9 G Veeraraghavacharlu

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GPB—20,000—23-12-13

G.R.S. 13]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Subd. with the references called for A prest. Act was passed ... Under this year The H. of George Gazettes containing the Act. the Bill and discussions in the Legislature are also put up

S.V.S

(48)

22/9/14 N.N.

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

GPB—50,000—29-8-14

Serial No.

5. With reference to the note of the Hon'ble Member, it is submitted that a perusal of the Summaries of the Laws of the various Countries shows that the Subject of Pests is dealt separately from that of Noxious Weeds the guiding principles of legislation are quite distinct with regard to the two subjects.

6. Insect Pests

This subject has been receiving more attention in recent years as early as 1877 a Statute was introduced in England (40 & 41 Vict c 68) for preventing the introduction spreading of an insect known as Colorado Beetle destructive to crops

Under this Statute power is given to the Privy Council to make such orders as may be for preventing the introduction & spreading of this insect. Persons landed in contravention of the orders shall be liable to forfeit the person landing is also liable to penalty The Privy Council is also empowered to make orders for the removal or destruction of crops & for sale or exposure of such diseased plants insect Penalty, & by-laws may be imposed and provision for compensation not exceeding 5£ of the value of the crops for destruction of crops are also made

NOTE—Contn. sheet.

GPB—60,000—7-11-13

5

7 By subsequent statute, the Board of agriculture & fisheries was substituted for P.C. in scope of its orders was enlarged, and orders could be made for preventing the introduction into Great Britain of any insect, fungus or other pest destructive of agricultural or horticultural crops or trees or bushes.

8. Similar enactments have been passed in Canada, U.S. States of America, Australia, Cape &c., for the prevention of their vegetable "undesirables."

9. In some countries, even "Agaricus" and all plants have to be fumigated before importation. In some cases, the executive authorities can order complete prohibition of certain imported plants where there is suspicion, such importation may be the means of introducing plant diseases. Provisions are also made for destruction of such plants where the inspection of an Inspector of Botanical or other authorities, not sufficient for detecting any insect pest or disease.

10. In the beginning of this year, a destructive insect pest that was also introduced into Britain from America has been found in the grounds of

GPB—60,000—7-11-13

J. Sec 136-14

F. R. S. 12]

(6)

General and Revenue Secretariat. | File No. | of 191

Serial No.

numbers with which subject are herewith submitted.

H. Noxious weeds

11. Laws have been passed in Ireland Cape Colony Transvaal, Ceylon South Australia, ~~New Zealand~~ ~~& Canada provinces~~ in ~~Canada~~ ~~& New Zealand~~ for preventing the spread of noxious weeds and for their eradication ~~and destruction~~ by occupiers, owners & possessors of lands The laws give power to make rules & such purposes

12 In North American Colony of Manitoba it is enacted that when noxious weeds are growing and in danger of seeding to the lands notice is, an inspector may notify the owner or occupant to cut down such weeds within 3 days, & in default penalties may be awarded

13 The various enactments of the laws on the subject are not available

J. Srinivasa Iyer
25/9

~~Sec~~)

("Proposals from Dr Coleman may be awaited If they are not received before First Member returns from leave the Note may be Submitted to him as soon as he returns

D. M. N
G. S

Draft 3/10

NOTE—Contn. sheet.

GPB—60,000—7-11-13

[G. R. S. 12]

General and Revenue Secretariat.

File No. 136-14 of 191

Serial No.	
15	Submitted Proposals from Dr Coleman have not been received yet. The file has to be submitted to the 1st member (G.) S.V.S 22/10/14 M.M. G. Srinivasa Ayyr 22/10 First Member.
16)	The Director has promised to send proposals on this subject soon. May be awaited. H.V. Nanjundayya H.V.N 22/10/14 Orders 23/10 D.M.N G. Srinivasa Ayyr 23/10

4 big books put up with this note to Bks Separately 23/10 C.R. 23/10

Books received 23/10/14

NOTE—Contn. sheet.

GPB—60,000—7-11-13

G.R.S. 11] 1914

GENERAL AND REVENUE SECRETARIAT.

(Agriculture
~~Forests~~.

NOTES.

File No. 49-14

FILE HEADING.

Insect Pest: ~~Re~~ Prevention Regulation

From

Dr Coleman, Director of Agriculture, in memorial

Letter No. 2244 Dated 30-10-14 Received ~~2-11-14~~

Diary No. 66	Enclos: ~~nil~~ Spare Copies	Serial No. 1

BRIEF ABSTRACT OF LETTER.

forwards for consideration of Govt in the Legislative department draft Regulation to prevent the spreading of plant diseases

NOTES AND ORDERS.

(1)

Dr. Coleman states that in connection with the combating insect Pests & plant diseases, the chief difficulty consists in the practical impossibility to get all the landholders & ryots in an infested village to cooperate with the Govt, that some of the ryots faithfully carry out

NOTES—First Sheet.

GPB—35,000—15-6-12

(1)

Serial No.

the distinctions given by the Deptt while others are practically ~~do that order~~ indifferent in the matter He therefore requests that the ~~Act~~ passing of an Act such as the one drafted by him would enable him ~~that~~ to carry out the work of combatting plant-diseases & pests in a ~~mass~~ manner calculated to lead to speedy & permanent results

(2) This may be sent to the Legislative Board for scrutiny & further acts

(3) It is understood that the passing of a Pests Act is under Consideration in Bor III Many times be transferred to your Branch for further action?

A. V. Ramanujachari
8/11

Asst Sec 4 Bor III

(4) Please work up this at early. I have already put up a small note on the subject. Please examine the provisions of the British Indian Pests Act passed in 98, the proposals of the Director of Agriculture, Mr and ~~Lamps~~ carefully and put up a draft bill. The proposals of the Director seem to require verbal alterations even if they have to be adopted. They do not cover the case of noxious weeds apparent

C. Sivaramakrishna Ayyar
8/11

From 193-14

GPB—03,000—15-9-14

G. R. S. 12]

Govt 193-14

(10)

4

General and Revenue Secretariat. | Legs File No. 37 of 1914-15

Serial No.	
28)	Submitted A draft bill consolidating the provisions contained in the Indian Pests Act, 1914, and the suggestions contained in the letter from the Director of Agriculture in Mysore, is prepared and put up. No provision about the destruction of noxious weeds could be inserted as detailed enactments bearing on the subject which are in force in Ireland and certain colonies are not available. A separate draft ordering for such Acts has been separately submitted.
	(48) S.V.S.
	11/12/14
29)	Previous draft Gazette to prevent the introduction into Mysore any insect fungus or other pest and its spread has been submitted herewith for favour of approval. As Mysore is surrounded on all sides by British territory, and as there is already a law there for the prevention of introduction any pest, it seems sufficient if we only provide for the spread of plant-pests. This is apparently the object of Dr. Coleman's draft. If this view is approved, then the first portion of the Preamble, the definition of import, and Section 3 may conveniently be omitted.

NOTE—Contn. sheet.

GPB—60,000—7-11-15

193-14 (11) 10

[G. R. S. 12]

General and Revenue Secretariat. Legis. A 9 File No. 37 of 1914

Serial No. 23)

The Bill may be finally passed by the Council subject to consequential & verbal changes in Section 5

24) The Bill has been drafted so as to provide for the publication & notification that a specified area is infected with plant-disease. After such publication all the rules framed under the Regn will apply during the period specified therein. The Regulations provides for power to frame rules in regard to inspection, appointment of persons to disinfection &c. Many of the provisions referred to in the Director's letter are fit to be brought in only under the Rules.

A typed draft as suggested above is also submitted for approval

C. Srinivasa Iyengar 19/3/16.

(Dist-Munsif)

25) Drafts approved

26) May be placed before the Council.

H. V. Ramachandrayya 20/3/16

(Dewan)

O. Thanikachalam Chetty Dewan 23/3/16

27) Agreed

23.3.16

C.S. Civ Dept 24.5.16

NOTE—Contn. sheet.

GPB—03,000—15-9-14

Dewan 10/5 M. Krishnaswami

(12)

(For disposal at a ~~meeting~~)

No. C. 434.

15. 5. 1916

GENERAL AND REVENUE SECRETARIAT.

Council Matter.

SUBJECT.

(Clause ii of the Schedule).

Introduction of a Bill to prevent the spreading of plant dis ease in the ~~Mysore~~ Sm. State

CIRCULATED TO THE MEMBERS OF COUNCIL.

By Order,

D. M. Narasinga Rao

15th May 1916. *Secretary to Government.*

Extraordinary Member of Council.

First Member of Council. 17.5

Second Member of Council. 16/5

WD 2012—GPB—1 000—9-2-16

Extract from the Proceedings of the 389th Meeting of the Council of His Highness the Maharaja, held at Bangalore on the 7th July 1916

22. SUBJECT.- (Clause ii of the schedule.)

Introduction of a Bill to prevent the spreading of plant diseases in the State.

held on 4th July 1916 OPINION OF THE COUNCIL. at the meeting

The Bill may be introduced into the Legislative Council.

(Sd.) M.VISVESVARAYA,
DEWAN OF MYSORE.

EXTRACT"

D. M. Narayanaiah

Secretary to Government,
General Department.

W. D. 1364—GPB—500—14-12-15

Jm 193-14

(14)

G. R. S. 12]

General and Revenue Secretariat.

Legs File No. 37 of 1914

Serial No. 29)

The Assistant Secretary, Br. III, will kindly submit the file to the Second Member of Council with a draft Final Note.

Perish

D. de S. Nanayakkara Asst. Secy. 8/7

30) Draft Final Note is submitted for approval

C. Srimavara Dyr. 14/7

14448

15.7.16

(Second Member) 31) A. Pedler 21/7/16

H. S. Chandrasekara

32) Final note Signed by the 2nd member is put up

C. Srimavara Dyr. Asst. Secy. 23/7

33) Subs. with a D.S.N.

S.V.S

26/7/16

C. Srimavara Dyr. 26/7

Secy)

Secretary)

Asst. Secy. 28/7

D. de S. Nanayakkara 28/7/16

601

28.7.16

NOTE—Contn. sheet.

GPB —70,000—17-12-15

(15)

Final Note by the Second Member of Council.

Subject:—Introduction of a Bill to prevent the spreading of plant disease in the State.

.....

The Director of Agriculture in Mysore has represented the desirability of enacting a ~~law in Mysore~~ to prevent the spread of plant disease in the State. The measure is intended to give power to Govt. to take steps to eradicate or prevent the spread of plant disease. Action under the Bill will be taken in respect of certain crops only or in certain areas only as may be found necessary from time to time.

The Bill was drafted on the lines of the Destructive Insects and Pests Act, II of 1914, and was taken into consideration by the Council who are of opinion that the Bill may be introduced into the Legislative Council.

Dated 21-7-16

Second Member of Council.

(16)

Submitted to His Highness.

I submit herewith a 'Final Note' by the Second Member of Council on the introduction of a Bill to prevent the spreading of plant disease in the State.

2. If approved the Bill will be placed before the Legislative Council in due course.

M. Visvesvaraya
2nd Aug 1916.

(17)

ord of Cases submitted for the Order
of His Highness the Maharaja

Subject.

Permission to place before the Legislative Council, a Bill to prevent the spreading of plant disease in the State.

143

Order.

38) KRM
8/8/16

Sunday
8.8.16. M. Krishnaswamy Rao
39) Dewan/V
Judicial Secretary
G. Srinivasa Rao

G. R. S. 12]

General and Revenue Secretariat. | Legs File No. 37 of 1914.

Serial No.	
2	(2) Subd with a draft D.O. to the Hon'ble the Resident in Mysore I has to issue from the Dewans office. S.V.S 11/8/16 (4b) For favour of Dewans approval S. Srinivasa Rao Secy (5) The draft D.O. to the Resident may be approved. Dewan 11/8 16 (6) The draft DO approved by the Dewan has been issued and placed on file C.R.R. 19.8.16. C.R.R. D. No. Narasimha Rao 19/8/16
3	To. The Hon'ble H.V. Cobb Esqr Resident in Mysore no 4255 19th. Aug: 16 Forwards a copy of the Bill to prevent the spreading of plant disease in the State and states that the issue will be placed before the Legislative council
2	To The Director of Agriculture no 96 16th. Aug: 16 Informs that the Bill has been ordered to be placed before the Legislative council
4	From The Director of Agriculture

NOTE—Contn. sheet.

G. R. S. 12] 193-14 461-16

(19) 17

General and Revenue Secretariat. | Legis File No. 37 of 1914

Serial No.	
	No 64/3 — 21/22 Aug: 1916.
	Summaries opinion on the Pest Act Subd.
	4th) The orel has been sent to the Residency after having been approved by His Highness.
	The Madras Bill referred to in the letter does not seem to have been introduced into the Legis. cl.
	The indexes were referred to since ~~July~~ Jan: 1913. ~~He~~ A copy of the Bill was got from the Office of the Director of Agriculture and is herewith put up. It appears to be a draft Bill intended to be placed before the Legis. cl. but subsequently dropped for some reason
Flag Z	
	S.V.S 25/8/16
	4th) Narasimam Please ascertain from the Director of Agriculture when the Bill was introduced when it was passed. Before putting up draft, please also verify once again by referring to the Leg Cl Proceedings for last 8 years.
Secy 25/8	
	8 as per
	Q. Srinivasa Rao

NOTE—Contn. sheet.

GPB—70,000—17-12-15

§ 49D (20) 18

G. R. S. 12]

General and Revenue Secretariat. | Legis File No. 37 of 1914.

Serial No.

5 Letter No 6066 dated 28/8/16 from the First Asst to the Resident informs that the Resident has no prima facie objection to the Bill being laid before the Legis. Cl.

(6) Subd. with a draft to the Director of Agriculture requesting ~~to inform~~ him to give the necessary information on the Madras draft Bill After issue the Gazettes of the last 8 years will be looked into for the information as ordered.

~~GS~~ S.V.S
27/9/16
VRL

(7) Issue
27/9/16
G. Srinivasa Ry

Legis 19/10 Supt

6 To The Director of Agriculture in Lepore Bangalore.

No J 1239 4th Oct. 1916

calls for the necessary information on the Madras Forests Bill

(8) Subd, Leave to introduce the Bill has been asked for at the ensuing meeting of the Legis. Cl However Reply has been received from the Residency saying that they have no prima facie Objection to the Bill.

NOTE—Contn. sheet.

GPB—70,000—17-12-15

(21) 19

G. R. S. 12]

General and Revenue Secretariat. | Legn. File No. 37 of 1914.

Serial No.	
	Orders are required as to the Member who will take charge of the Bill. S.V.S
	1/11/16 (69) Mayor & Second Member be requested to be in charge of the Bill N.N
	C. Srinivasa Ayyar 1/11
	2/11 (30) It relates to the Dept of Agriculture & I think the Dewan Bahadur (Second Member) Dewan) Member of that Dept might take the Bill 2/11
51 2.11.16.	A. R. Banerji 2/11
458 4.11.16	(First Member) Dewan) D. W. Monahan Rao Dewan 3/11 3/11
	3/11 I have the honour to draft Bill & the connected papers. I agree with the Secretary of Agriculture that the Bill in its present form is neither complete nor comprehensive but can be dealt with after the proposed Madras Act. It seems desirable to include the subjects mentioned also in the proposed Bill & the Dewan approves of my suggestions, the Bill will be re-drafted on the lines of the Madras Act. Mukundan Nair 10/11/16

NOTE—Contn. sheet.

GPB—70,000—17-12-15

(22) 20

G.R.S. III—31

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

The Bill now prepared and approved by His Highness is based entirely upon the one sent by the Director of Agriculture with his letter of 30. 10. 1914 The suggestions given in para 6 of the letter that the Bill should be simple and comprehensive that its enforcement should be in the hands of the Agricultural Department and that it was intended to be enforced in selected areas were also borne in mind All the provisions mentioned by him have been incorporated and one or two matters have been left to be brought under the Rules the power for framing which has been made [illegible] Apart from a question of drafting whether the rules are not the proper place for providing for details of procedure in and incidental

The following table will show how the provisions in the draft have been incorporated in the Bill

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

N.D. 84—GPB—60,000—20-7-16

(23)

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Provisions of the Bill submitted by the Director of Agriculture

1953 Provisions of the Bill ~~approved~~ by the legislative Dept.

S 1	— S. 2
Sect 2	— S. 3
3	— 4
4	— 3
5	4(a)
6	4(a)
7, 8, 9	4
10	—
11	5
	—
54	

No mention was then made by the Director about the noxious weeds. and so no provision has been made to deal with this case of noxious weeds. The Director has ~~to~~ objects to the drafts on one or two points. In Section 3 the period ~~after~~ by which ~~by~~ application has to be fixed and by more verbal alteration ~~the~~ period may if necessary be extended. No separate section has been

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

W.D. 84—GPB—60,000—20-7-16

G.R.S. 111—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

4(a) does not necessarily apply to the case of imports into the state, but to case of imports into an uninfected area from an infected part

5 & 6 these questions and the question of appeal, if necessary, may be considered during the stage of the Select Committee, and no alteration at present seems necessary. But if ~~provisions~~ the case of persons could also be provided in this bill when the bill has to be revised, and the sanction of this Legislature again be necessary. But legislation as regards persons would of course include baggage was apparently objected to. A member

G Srinivasa Ayyar 2/11

5/11 Agree.

Sec. 5 Please see the 3rd member as explained to him before the bill was put up to Council D. of A. 2/11

5 & 6 agree. The bill as now drawn up is in accordance with the instructions issued and meets the case 2/11

The Bill as printed copy of which is sent by Secretary to Govt. not introduced in any way until

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

W.D. 84—GPB—60,000—20-7-16

4 & 5 Action first member agreed to it being placed before Legislative Council as unnecessary to refer again

G Srinivasa Ayyar 2/11

(25) 23

G. R. S. 12]

General and Revenue Secretariat. 44 File No. of 191 .

Serial No.	
7	No 120 dated 2nd Nov 1916 from the Director of Agriculture in Mysore Informs that the Madras Bill has been sent to the Govt of India for permission to introduce it before the Madras Legs Cl
6/4/5	Subd The Bill ~~is it is~~ has been included in the Agenda for the 23/11/16
8	No 624 dated 1/7/17 from H. Krishna Rao, Hosakote Encloses copy of proceedings of the meeting of the Malnad Land Holder's Association held on 1/7/17 protesting against the proposed introduction of the Pest Act in Mysore and requesting that may be placed before the Select Committee
62/6	Subd. The Select Committee met on 27/4/17 at Mysore and their report was issued for publication in the Gazette on 11/6/17 ~~and was~~ Thus no action can be taken on the resolution. ~~At the~~ 21/8/17 S.V.S. 63/4 What about the first request? N.N

NOTE—Contn. sheet.

GPB—70,000—17-12-15

G. Srinivasa Rao

WD 1233—GPB—60,000—1-12-16—S.

(26) 17 24

G. R. S. III-2]

General and Revenue Secretariat.

Legislative File No. 37 of 1914-15

Serial No.	
64	Subd. Under rule 10(2) of the Rules of Business the petition has to be reported to Council at its next meeting. It will be noted and included in the Secretary's Report if so ordered. S.V.S. 30/8/17. 65 66 67 68 G. Sivaswamy 30/8/17
9	No 83 dated 3rd August 1917 from the Dept. of Agriculture. Suggests that clause 3 of the Destructive Insects and Pests Bill may be amended so as to provide for the cancellation of a notification issued thereunder
66	First Members order thereon "Leg Secy Please note and bring up on 4th inst. Initd M.K."
67	"Legis. Put up file." Initd G. J. 3/9/17
68	Subd. with the file the power to cancel any notification issued under the provisions of an Act is given under sec: 21 of the General Clauses Regn and as such it seems unnecessary to specially provide for it in

NOTE—Contn. sheet.

(21) 5-25

ND 1253—GPB—60,000—1-12-16—S.

25

G. R. S. III-2]

General and Revenue Secretariat.

Legn. File No. 37 of 1916

Serial No.	
	Bill S.V.S N.N A 1916. It is not necessary to provide for the points 3/9/17 mentioned by Dr Coleman in the Regulation, as the General clauses Regulation (5.21) which applies to the case expressly provides for all the points mentioned in the letter Submitted with a draft reply for approval BB 4/9 G. Srinivasa Ayyar First Member 19) Draft-reply proved by the 1st member. BB
7	4/9/17 (sd) Done BB 4/9 G. Srinivasa Ayyar
	S.O.
10	No 921 dated 7th Sept: 1917 to the Director of Agriculture in Mysore Bangalore. Informs him the sec: 21 of the General clauses Regn, 1899, gives power to Govt to rescind, add to amend or vary any rules framed under the Regn.
11	Telegram dated 28/9/17 from Hosakoppa Krishna Rao Requesting that the Bill consideration of the Bill may be put off.
7/2	Subd
4/10	The Report of the Select Committee and the Bill as amended by them

NOTE—Contn. sheet.

hvl 36-14 (28) 26

ND 1233—GPB—60,000—1-12-16—S.

G. R. S. III-2]

General and Revenue Secretariat. Legis File No. 37 of 1914.

Serial No.	
	were considered by the Legis Cl on 28/9/17 and passed into law. A copy of the Bill as passed is put up D.f.n and d.s.n. put up for obtaining the sanction of His Highness the Maharaja
	S.V.S 1/10/17 N.N 7357) In favour of approval.
	C. Srinivasa Aiyar 2/10 First Member
	7458) Offd approved 2/10 Maharaja
1362 3.10	7559) Immediate Note signed by the first member is put up.
	Bvs B.V.S 3/10/17 7660) D.f.n may be approved
1973 4/10/17	Dewan C.S. Balasundaram Ayya 3/10/17

NOTE—Contn. sheet.

(29)

Final Note by the First Member of Council.

Subject:—

The Bill to prevent the spreading of plant disease.

17)

The Bill to prevent the spreading of plant disease was introduced into the Legislative Council and after being considered there in its various stages was, as amended by the Select Committee, passed on the 28th September 1917.

The gracious sanction of His Highness the Maharaja is required to promulgate the Bill into law.

First Member of Council

3rd Oct 1917

(30)

Submitted to His Highness.

J-18) *I submit herewith a Final* × *Note by the* First *Member of Council on the subject of* the Bill to prevent the spreading of plant disease.

for His Highness' gracious approval.

C. R. Srinivasa

Dewan.

6th Oct 1919.

(31) C 434-16

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Promulgation of the Bill to prevent the spreading of plant disease into law.

Order.

49

~~KRM~~

9/10/17

A R Barnes

10

1562/21.10.17

21/10

80) Lanka

17 ou Vishakhapatnam

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11/10/17

E.S. [illegible]

11/10/17

ND 1253—GPB—60,000—1-12-16—S.

(32) 525

G. R. S. III-2]

General and Revenue Secretariat.

Legis File No. 31 of 1914

Serial No.	
6)	Subm with a draft order publishing the Regn S.V.S 11/10/17 N.N 8) 11/12/10/17 T.C. Jayaraman Dept
12	To The Comptr Mysore Gazette No J1334 D/13.10.17 Notifies that the Destruction of Insects and Pests Regn. which received the assent of H.H the Maharaja, on the 9th Oct 17 as Regn. VI of 1917

A

A
10/11/17

P.

NOTE—Contn. sheet.

GPB—4,000—13-5-14

DEPARTMENT OF AGRICULTURE
MYSORE STATE.

DIARY No. 662

19 16 1915
SECTION Ad J. Ex.
FILE 191 . 37-44
SERIAL No. 1.

No. 2244 Bangalore, October 30th 1915

FROM

LESLIE C. COLEMAN, ESQ., M.A., PH.D.,
DIRECTOR OF AGRICULTURE IN MYSORE.
BANGALORE

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Deptts. of Agriculture, etc., Bangalore

SIR,

In connection with work in combatting Insect Pests and Plant Diseases in Mysore, one of the chief difficulties lies in the practical impossibility to get all the landholders and ryots in an infested village to cooperate. The result is that where some of them carry out the recommendations of the Department faithfully and enthusiastically, the value of their work is to a great extent nullified by the indifference of others. As an example, during the past season, work was carried out in connection with controlling the Kumblihula pest in certain villages of Kadur Taluk. In one of these villages all the villagers cooperated and their children gathered the moths day after day as they emerged in a most thorough manner, the result being that the pest was almost entirely wiped out in that village and at no expense to the villagers. In another village about five miles distant from this one, cooperation could not be secured notwithstanding the efforts of officers of this Department and as a result little if any appreciable result could be seen from the work carried out.

2. This is by no means an isolated case and one of the chief

excuses made by ryots for not carrying out the recommendations of the Department in connection with pests and diseases of plants is that, as their neighbours will not cooperate, such pests are bound to invade their lands after they have carried out the work and so their work will be of no avail or at the best they will be doing combative work for themselves and for their neighbors as well

3. We find a similar condition of affairs in our work in connection with Koleroga. Work carried out during the past two or three years indicates that there are bright prospects for the complete stamping out of this disease in entire ranges provided only that all the garden owners in a range will cooperate. It is just this cooperation over comparatively large areas which it is practically impossible to obtain.

4. Lastly we find the same state of affairs in connection with our campaign against the Green Bug and here the need for some means of enforcing cooperation is even more keenly felt. The pest is a new one and the danger of its spread very great. It is therefore imperative that vigorous and general action should be taken against it.

5. The above facts will, I think, make it clear that the passing of a so called Pest Act should receive the immediate consideration of Government to enable work in connection with combatting plant diseases and pests to be carried out in a manner calculated to lead to speedy and permanent results.

6. There are several points which should be particularly kept in mind in framing such an Act. In the first place it should be simple and comprehensive; in the second place it should be so framed that it may be brought into force not generally but in selected areas and lastly its enforcement should be solely in the hands of the Agricultural Department who alone are in a position to judge how , where and when it should be brought into

force.

(35)

7. I have the honour therefore to enclose a Draft Act to prevent the spreading of Plant Diseases for the consideration of Government in the Legislative Department and trust that it may be taken up at a very early date.

I have the honour to be,

Sir,

Your most obedient servant,

Leslie C. Coleman

Director of Agriculture.

(38)

Act to prevent the spreading of Plant Diseases.

----------oooooOoooo----------

1. In this Act "Plant" means and includes every tree, shrub or herb of which the fruit or any other part is used for food of man or beast or for any purpose in connection with arts or manufactures.

"Plant Disease" means any deterioration or destruction of any plant or part of a plant whether such deterioration or destruction is due to disease, insects, fungus or any other cause and whether communicable or otherwise.

2. Government shall have power from time to time when it shall appear necessary to declare any District or area within the State or place within such area to be a place infected or suspected of being infected with a plant disease.

3. Government may, by proclamation from time to time, make any general or special orders for the following or any of them:----------

(a) For prescribing or regulating the destruction, removal, uprooting disposal or treatment of plants and products of a vegetable nature within an infected District, area or place;

(b) For prescribing and regulating the cleansing and disinfecting of infested places or areas or parts thereof;

(c) For prescribing the period within which it will not be lawful to plant or replant with any plant whatsoever or with any particular kind of plant the whole or any portion of an infected district, area or place;

(d) For prohibiting or regulating the movement of

persons, animals, earth, soil, manure, vegetable products or other things into or out of a District, area or place declared to be a place infected or suspected of being infected with a plant disease;

(e) Generally for the preventing in any manner of the spread within the State of any plant disease;

and all such orders for the time being in force shall be considered to be part of this ordinance.

4. Government may from time to time in like manner, declare, subject to such conditions as they may think fit any District, area or place within any area to be no longer suspected with a plant disease; and there upon save as otherwise by such declaration provided any general or special order that may have been made under the provisions of this Act shall, as far as it affects any such District, area or place, cease to have effect.

5. The Director of Agriculture is appointed to be the person generally to carry out the provisions of this Act.

6. He or any officer deputed by him may at all reasonable times enter without notice (with or without Assistants as may to the person making entry seem fit) upon any nurseries, lands or plantations or into any building or part of any building not being a dwelling house for the purpose of searching for and examining any animal or vegetable organism or any diseased plant or any soil, manure, plant cases, wrappings or packing materials or any such other material as might be considered likely to harbour a plant disease, and may remain thereon or therein so long as may be reasonably necessary for the purpose.

7. The Director of Agriculture may issue an order in writing in the form given in the Schedule hereto attached to

the occupier or if there be no occupier to the owner of any nursery, land or plantation directing him to take within a definite time from the service upon him of such order, all such measures (to be specified therein) as may be necessary for the eradication of or for the prevention of the spread of any plant disease including in such measures the total destruction if necessary of any trees, shrubs or herbs whether infected by any plant disease or not.

8. If there is no occupier on any land, service of any order under this Act may be made by affixing the same in some conspicuous place on the land.

9. If any owner or occupier shall fail to comply with the directions contained in any order under this Act, the Director of Agriculture or any officer deputed by him may with or without assistance enter upon such land and take such steps as may be necessary for properly and effectively carrying such order into execution.

10 The expenses incurred by the Director of Agriculture or any officer deputed by him in carrying into effect any order made under this Act, shall be paid by the party in default as an arrear of revenue; provided always that it shall be lawful for Government to dispense with the payment of such expenses in cases where owing to the party in default being in needy circumstances or for any other reason, the Government thinks fit so to do.

11. Any person acting in contravention to any order made under this Act or obstructing any officer or person appointed to execute any of its provisions shall be liable to a fine not exceeding Rs. 500/-

N o t i f i c a t i o n.

----------o---------

(39)

Notice is hereby given that as a plant disease, viz.

.....

has been found to exist upon the hereunder specified land

occupied by .....
owned

he is ordered within ..... days of the receipt of this
service

Notification to take the following measures to control the
eradicate

the said disease: .....

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Specification of lands etc. to which above notice applies;—

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Sd.

Director of Agriculture.

(LCO)

(R. S. 26]

General File No. 37-14

Serial No. 2

Diary No. of letter replied to

General and Revenue Secretariat

( )

, *the* 191 .

Date of issue 16.8.1916

Signed by Mr. G Seetharamaiya

Letter No. 9660 Enclosure

dated 16th August 1916

from the Secy to Govt. Genl & Rev Depts to

The Director of Agriculture

in Mysore, Bangalore

Sir

I am directed to inform you that a Bill for the to prevent the spreading of Plant disease as per ~~sample~~ copy enclosed has been ordered to be placed before the Legislative Council in due course.

I have &c.

For Secretary to Govt

over.

MGL 16/8/16.

SUBJECT.

13/8/16

Legs 37-14-23 (41) (Bangalore 19th Aug 16

"f D. O. No. 4255/Ex.-Two dated 19th Aug 16
from the Dewan of Mysore, to the
G. A. Resident in Mysore

My dear ~~Sir~~, Cobb

I enclose herewith copy of a Bill to prevent the spreading of plant disease in the State.

The copy of the statement of objects and reasons that accompanies the Bill explains the object and scope of the proposed measure. The Bill will, in the usual course, be placed before the Mysore Legislative Council.

Yours sincerely

Ao
19.8.16

To

The Hon'ble

H.V. Cobb Esq., C.S.I., C.I.E.,

Resident in Mysore.

42

A Bill to prevent the spreading of Plant disease.

Whereas it is expedient to make provision for preventing the spreading of plant disease; His Highness the --- Maharaja is pleased to exact as follows

Short title, extent and commencement

1. This Regulation may be called the Destructive Insects and Pests ---- Regulation;

It shall extend to the whole of Mysore; and shall come into force at once.

Definitions.

2. In this Regulation, unless there is anything repugnant in the subject or context,

(a) "crops" includes all agricultural or horticultural crops, and trees or bushes or herbs, the fruit or any other part of which is used for food of man or beast or for any purpose in connection with art or manufactures,

(b) "infection" means infection by any insect, fungus or other pest injurious to a crop,

(c) "plant disease" means any deterioration or destruction of any plant or part of a plant whether such deterioration or destruction is due to disease, insects, fungus or any other cause and whether communicable or otherwise.

Power of Government to declare infected --- districts or areas.

3. Government may by notification in the official Gazette declare any --- district, area or place within Mysore to be a place infected with a plant --- disease, during a period to be fixed in such notification.

Power of Government to make rules.

4. Government may, by notification in the official Gazette, make -- rules or orders for all or any of the following:-

(a) For the detention, inspection, disinfection, or destruction of any article or class of articles in respect of which a notification has been issued under section 3 or 4 of any - article which may have been in contact or proximity thereto and for regulating the powers and duties of the ----- officers whom it may appoint in this behalf

(b) for prescribing or regulating the destruction, removal, uprooting, -- disposal or treatment of crops or ----- product of a vegetable nature within an infected district area or place;

(c) for prescribing and regulating the cleansing and disinfecting of infected places or areas or parts ---- thereof;

(d) for prescribing the period within which it will not be lawful to plant or replant with any crop whatso

ever or with any particular kind of crop the whole or any portion of an infected district, area or place;

(e) for prohibiting or regulating the movement temporarily of earth, soil, manure, vegetable products or other things into or out of an infected ---- district, area or place; and

(f) generally for the preventing in any manner of the spread within the state of any plant disease.

Penalty.

5. For every breach of a rule or order made under this Regulation, the offender on conviction by a magistrate shall be liable to a fine not exceeding rupees five hundred.

No suit, prosecution etc., against a person acting in good faith - under this Regulation.

6. No suit, prosecution or other legal proceeding shall lie against any person for anything, in good faith, -- done or intended to be done under this Regulation.

(45)

Statement of objects and reasons.

This Bill is the outcome of a representation made by the Director of Agriculture in Mysore. It gives power to Government to take steps to eradicate or prevent the spread of plant - disease. Action under the Bill would be taken in respect of certain crops only or in certain areas only as may be found necessary from time to time.

W. D. 0849—GPB—6,000—21-8-15

Telegraphic Address
"Agri, Bangalore."

(46)

DEPARTMENT OF AGRICULTURE,
MYSORE STATE,

DIARY No. J. 461

Bangalore, August 21st. 1916.

1916-17
SECTION L
37-17
No. 24

No. 64/S dated 21st August 1916

FROM

LESLIE C. COLEMAN, ESQ., M.A., PH.D.,
The DIRECTOR OF AGRICULTURE IN MYSORE,
BANGALORE.

To

D. M. Narasinga Rao, Esq., B.A., B.L.
Secretary to the Govt. of H. H. the
Maharaja of Mysore, General Deptt
BANGALORE.

SIR,

In acknowledging receipt of your letter No. J.660 of the 16th instant with enclosed draft of a Pest Act, I have the honour to state that I consider the draft as prepared ~~as~~ unsuitable in many respects.

When I first brought this subject to the attention of Government in my letter No.2244 of the 30th October 1914, I pointed certain things which I considered essential to make the operation of such an act feasible. I regret to have to note that the points I then raised seem to have been largely ignored.

Although the draft act which I then submitted was put together rather hurriedly it was, I believe fairly comprehensive and I would in this connection call the attention of Government to a draft act which was sometime ago brought before the Madras Legislative Council and which has, I believe already been passed. An examination of that act will show that while it is somewhat fuller than the draft I submitted they cover pretty much the same ground.

With regard to particular points in the draft sent to with your letter I have the honour to make the following comments

(47)

Para 3 provides for a notification declaring any district area or place in the State to be a place infected with a plant disease during a period to be fixed in such notification. This latter clause is an impossible one as no one can possibly say over how long a period a place may remain infected or should be considered to be infected. In my draft I allowed for (a) the declaration of a place as infected (vide Para 2 of my draft) and (b) the declaration of the place being no longer infected (vide Para 4 of the same draft). This is in my opinion the only feasible way of dealing with matter.

Para 4 (a) of the draft now sent to me obviously refers to the question of importing a pest from outside. I do not see how it would be possible to enforce these provisions except at an expense which would not be warranted by the small amount of existing danger. The Government of India have but lately passed an Act controlling the importation of plants &c., from outside with the object of preventing the importation of new plant diseases and as Mysore has no sea board I think this should be sufficient protection. There is of course some danger of importing diseases from other parts of India but I think it would be practically impossible so to control the traffic into the State by road as well as rail as to ensure the keeping out of such diseases.

I consider it quite essential to lay down in the act the procedure which is to be followed and the machinery which is to be used in putting the Act into force. As will be noted the Madras Act is quite explicit on this point and in my draft I also went into considerable detail. One thing I ~~ad~~omitted was the question of appeal which I think should be dealt with much on the lines laid down in the Madras Act.

Other questions which might well be considered before bringing up the act in its present form are the following:-
(a) The advisability of refering specifically to noxious weeds as has been done in the Madras Act. This would perhaps make the application of the Act to such weeds as Lantana, Prickly Pear, and Sensitive plant less ambiguous. (b) The advisability of including water and water supply

water-supply under the areas which may be pronounced as infected. This would allow for the dealing with water weeds which although they are not serious in Mysore at present may become so in the future.

(c) The advisability of defining "Occupier" of the land as has been done in the Madras Act and has also been virtually done in the draft submitted by me.

The working of a Pest Act will not be a particularly easy thing and I feel that any act which is passed should be very specific in its wording if it is to stand a reasonable chance of being an effective check on plant diseases and insect pest in the State.

I have the honour to be,

Sir,

Your most obedient servant,

Director of Agriculture.

THE MYSORE RESIDENCY,

Bangalore, 28th August 1916.

My dear Sir M. Visvesvaraya,

I am desired to acknowledge the receipt of -- your D.O. letter No. 4255, dated the 19th August -- 1916, forwarding a copy of a Bill to prevent the -- spreading of plant diseases in the Mysore State, -- and, in reply, to say that the Resident sees no -- prima facie objection to the Bill being laid before the Mysore Legislative Council.

Sir M. Visvesvaraya, K.C.I.E.,

Dewan of Mysore.

50

G. R. S. 26]

Legis File No. 37-14
Serial No. 6

Diary No. of letter replied to .....

Letter No. J 1239 dated 4 Oct from the Secy to Govt.-General dept

General and Revenue Secretariat
( )
, *the* 91 .

To
The Director of Agriculture
in Mysore, Bangalore

Date of issue 4th October 1916

Signed by M. C. Sreenivasa Iyer

Sir

I am directed to ~~en~~ invite your reference to your letter No 64 S dated 21st/22nd Aug 1916 furnishing certain suggestions on the Rents Bill and to request you to ~~bel~~ inform Govt as to ~~the~~ whether the Madras Rents Bill referred to by you was

over.

SUBJECT.

introduced into the Madras Legislative Coun and if so when and if it has not yet been introduced into the Legis Council then the authority at whose instance the draft Bill was prepared and why it has not yet been so introduced The information may kindly be obtained and furnished as early as possible.

I have &c

For Secy to Govt

G. S

NRC
27-9-16

List of enclos

Copied by

Examined by

GPB—20,000—10-10-14

W. D. 0849—GPB—6,000—21-8-15

Telegraphic Address
"Agri, Bangalore."

DEPAR

MYSORE STATE,

Bangalore,

Letter No. 120/S. dated November 2nd, 1916

DIARY No. J 931

19
Legis
BANGALORE. 37-14
7

FROM

LESLIE C. COLEMAN, ESQ., M.A., PH.D.,
DIRECTOR OF AGRICULTURE IN MYSORE,

TO

D. M. Narasinga Rao, Esq., B.A., B.L.,
Secretary to the Govt. of H. H.
the Maharaja of Mysore, Genl.
Department Bangalore.

SIR,

With reference to your letter No.J.1239/Legis.37-14-6 of the 4th October 1916, I have the honour to state that applied to the Officiating Director of Agriculture, Madras who has replied to me as follows:-

"The draft of the Madras Pests' bill has been approved by the Government of Madras in G.O.R.D. No.2186, dated 23rd September 1916 and the draft has been sent to the Government of India, presumably for approval before it is introduced into the Madras Legislative Council"

The Officiating Director of Agriculture did not inform me as to the authority at whose instance the draft Bill was prepared but as a matter of fact I know it was drafted by the Director of Agriculture Mr. D.T.Chadwick largely, I believe,as a result of representations made by the United Planters' Association of Southern India.

I have the honour to be,
Sir,
Your most obedient servant,
L. C. Coleman
for Director of Agriculture.

Ined Land-Holders' Association

Agricultural Museum.

--ooOoo-----

...ription ...t on 1st July ...r at ...ocetoppa ...choo... ...chas ...presiding.

... those present were ...rrs. ...nchitott ...ricanegie, Jamestige ..., ...fatherame...het, ...rrieg...enhatenne Lords, ...elegrede ...enjappa ...uege Chimnish ...aik, ...ge ...Lugganna Lords, ...s...renchiare ...s ..., ...ellich and many others.

... C. ...ge.../proc of the 14th June fro... the ...nnect r— ...ation forwarding copy of his letter to the Deputy ...irector ..., intimating Government sanction of a monthly allowance of ... ...ary of a Sergentry Instructor and contingent ... ... with in connection with the proposed ...ractical ...ur... ... our Bureau with the ...School.

... the Director General of Education be ...n ... ... full informed of the ...s ... the teacher, the ... ... of pupils attending the ... room ... ...

No. 624 Enc. 2

HOSAKOPPA ECONOMIC MUSEUM.

From Hosakoppa Krishna Rao
Hosakoppa P.O. (Koppa-Kadur.)

To G. Srinivasa Iyer Esqr. M.A.,
Under Secretary to the Government of H.H. The Maharaja,
Legislative Department, Bangalore.

Date 1st July 1917

GEN. & JUDICIAL 4- JUL 1917

Sir,

In enclosing copy of proceedings of the meeting of the Malnad Land-Holders' Association held today, I have the honour to request that resolution No. 6 (b) thereof protesting against the proposed introduction of the Pest Act in Mysore for enforcing the use of spraying operations on Bagayat gardens for the removal of Koleroga may kindly be placed before the meeting of the Legislative Council, when this question comes up for decision at their hands.

In the meantime the resolution in question may be communicated to the select Committee appointed by the Legislative Council to consider the draft Bill on the Subject, for their information and consideration.

I have the honour to be,

Sir,

Your most obedient servant,

Krishna Rao

6 B 7

of this Association, Government be requested to reconsider their previous decision on the subject in the light of the detailed notes prepared by Mr. H. Krishna Rao, explaining the justice of the Association's request and absolute necessity for Government's complying therewith and be (b) that, pending Government's granting of this prayer, Mr. H. Krishna Rao who is already a members of the Representative Assembly be empowered to represent the views of this Association on the following subjects at the ensuing session of the Assembly:-

1. Early establishment of the Land Bank to relieve the Agriculturists from heavy indebtedness.

2. Redistribution of Salsette taluk so as to form two wholly Salsette Talukas

3. Free introduction of English teaching in all the schools in the Salsette.

4. Reduction of the cart assessment to Rs. 5 gradually extending it to a maximum of Rs. 8.-

5. The opening of a High School in Marol Sarajapur.

6. Steps to be taken immediately for the organisation of the proposed Bombay Government Labour Department.

7. Passing on to the questions of more general interest, resolved unanimously after full discussion,

Purity of Labour.

That the Association do offer their respectful thanks to the Bombay Legislative Conference and its President, the Baron, for accepting the proposition moved by Mr. H. Krishna Rao at its recent Labour session regarding the organisation by Government of a the Labour Department and do further urge upon the Government the need for taking immediate steps to bring Mr. Krishna Rao's scheme to working order with such additions and alterations as the Government may find necessary therein.

Tari Act.

That this Association are strongly of opinion that the spraying operations so highly commended for the prevention and cure of toddy are totally unsuited to the peculiar water difficulties of the Salsette and would therefore involve a needless waste of a money to the toddy drawers and therefore feel bound to put on record their emphatic protest against the proposed introduction of the part of it for the forcible popularisation of such spraying operations certain to involve a great deal of oppression and harsh treatment enforcement.

7. Resolved that the copies of these proceedings be submitted to H.E. the Governor, the Baron, the General Secretary, the Educational Secretary, the Government, the Secretary to Government (Executive Department) and to the Deputy Commissioner.

(Sd.) H. Krishna Rao,

President.

Attested

Hon. Secretary

Telegraphic Address,
"Agri, Bangalore."

GEN. & REV. SECRETARIAT
III-9
JUDICIAL
- SEP 1917

DEPARTMENT OF AGRICULTURE.
MYSORE STATE.

OFFICE OF THE DIRECTOR.

Bangalore, August 30, 1917.

Dear Mr. Kantaraj Urs.

In reading through the Report of the Committee on the Bill to prevent the spreading of Plant Diseases one of the clauses still remains not very clear to me. I refer to the clause given in para 3. From this clause I understand that Government if they declare any area or locality within the State to be a place infected with a plant disease, they must at the same time fix the period of time during which the infection is to exist.

This provision seems to me impracticable. No one can foresee the length of time which may be required to stamp out a pest or to render it practically inocuous. The tendency will therefore be to fix a very long period so as to be on the safe side and the period so fixed may be much longer than the period actually required to bring

57

the pest under control.

It would I believe be advisable to alter the provision so as to allow for (a) the notifying of an area to be infected and (b) the notifying that the area is free from infection. I take it that Government would in that case not retain any particular locality on the infected list any longer than it is absolutely necessary.

I fear that if the clause is retained as it ~~is~~ at present stands it will make the act very difficult to administer.

Yours sincerely,

Lethbridge

Rajaseva Dhurina M.Kantaraj Urs, Esq., B.A., C.S.I.,
First Member of Council, Bangalore.

G. R. S. VI—G/32]

(58)

SUBJECT.....

.....

.....

Diary No. of letter replied to..... .....

Section Regis

File No. 37-14

Serial No. 609

GENERAL AND REVENUE SECRETARIAT

(

, *the* *191*

Date of issue..... 7/9/17

Signed by..... M. B. Ramaswamy

To

The Director of Agriculture

Nyapore, Bangalore

Letter No. 7961 dated 4th Sept 1917

Gram one Reply to Govt. Genl Memo A

Dear Sir/ With reference to your letter No 83 dated 30th Aug 19 to the First Member of Council I am desired to state that the amendments suggested by you to be made in the Destructive Insects and Pests Bill are considered unnecessary as sec: 21 of the General Clauses Regulation, 1899

over.

69
9/9

which applies to all Regulations
passed after 30 June 1899 ~~the date of that~~
Regulation, provides not-
only for rescinding any not
issued ~~but~~ under ~~the~~ any
Regn but also to addition, amen
or varying the same

Yours sincere
~~[illegible]~~

28/4/9
~~[illegible]~~ Secretary to Govt
E/S

Do

Dr L C Coleman M. A.
Director of Agriculture

Handed in at (Office of Origin).	Date.	Hour.	Minute.	Service Instructions.
Kabba Kaduna	28	10	15	Thacy address

TO ~~Whitehall~~ ~~Secretary of State~~ ~~for~~ ~~India~~ Lay & Kaduna

Recd. here at // H.) M.

W a Whitehall

Recd at 12.25 hr 30. See dig: Comm Ans

Maiduguri Borgayat Owners Learn with regret pest ban becomes law today suddenly disregarding numerous protests and recent Press articles unceremoniously

N.B.—The name of the Sender, if telegraphed, is written after the text.

Lal Chand & Sons, Calcutta—146—Reg. 389 Tel.—30-6-16—50,000 Bks.

Ag. 37-14

POSTS TELEGRAPHS

NOTICE.

This form must accompany any inquiry made respecting this Telegram.

Charges to pay.

Rs.

Office Stamp

Handed in at (Office of Origin). | Date. | Hour. | Minute. | Service Instructions.

Recd. here at H. M.

TO

[illegible]

[illegible]

[illegible]

M. R. S. VI.—8-III/14]

DRAFT.

62

SUBJECT.....

.....

.....

Section. Legis
File No. 37-14
Serial No. 12

Proceedings of the Government of H. H. the Maharaja of Mysore.

Diary No. of letter replied to.....

GENERAL AND REVENUE SECRETARIAT,

( )

, *the*.....*191*

Order No. J 1334 Enclosure dated 13.10.1917

Ordered that the accompanying..... Destructive Insects and Pests Regulation

which received the assent of His Highness the Maharaja, on the 9th day of October 1917 be published as Regulation No. VI of 1917, in the *Mysore Gazette* for general information.

Date of issue..... 13/10/17

Signed by W. K. Jayaram

Secretary to Government

May this be—

(i) Printed?

(ii) Treated as a standing order

(iii) Published in the "Gazette" English part?

(iv) Translated?

(v) Placed at the disposal of the Press?

(vi) Published in the "Gazette" Kannada part?

To

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MCC 14/10/17

REGULATION No. VI OF 1917.

A Regulation to prevent the spreading of Plant Disease.

(Received the assent of His Highness the Maharaja on the 9th day of October 1917.)

Whereas it is expedient to make provision for preventing the spreading of plant disease: His Highness the Maharaja is pleased to enact as follows:—

Short title, extent and commencement.

1. This Regulation may be called the Destructive Insects and Pests Regulation, 1917.

It shall extend to the whole of Mysore and it shall come into force at once.

Definition.

2. In this Regulation, unless there is anything repugnant in the subject or context;

(*a*) "crops" includes all agricultural or horticultural crops, trees or bushes or herbs, the fruit or any other part of which is used for food of man or beast or for any purpose in connection with art or manufactures:

(*b*) "notified area" means any specified area or locality declared by Government to be infected with a plant disease under section 3:

(*c*) "plant disease" includes any disease affecting trees, plants, vegetables and crops caused by or consisting of the presence of any insect or fungus and any other disease affecting trees, plants, vegetables or crops which the Government may, from time to time, by a notification in the official Gazette, declare to be a plant disease within the meaning of the Regulation and whether or not caused by or consisting of the presence of any insect or fungus.

Power to declare infected area and crop.

3. Government may, by notification in the official Gazette, declare any specified area or locality within Mysore to be a place infected with a plant disease in respect of any specified crop during a period to be fixed in such notification.

Power of Government to make rules.

4. Government may by notification in the official Gazette, make rules or orders for all or any of the following:

(*a*) for the seizure, inspection, disinfection or destruction of any crops in respect of which a notification has been issued under section 3 or of any article which may have been in contact or proximity thereto, and for regulating the powers and duties of the officers whom it may appoint in this behalf;

(*b*) for prescribing or regulating the treatment, removal, uprooting, destruction or disposal of crops within a notified area and for providing for payment of compensation in proper cases;

(*c*) for prescribing and regulating the cleansing and disinfecting of infected places or areas or parts thereof;

(*d*) for prescribing the period within which it shall not be lawful to plant or re-plant with any crop whatsoever or with any particular kind of crop the whole or any portion of a notified area;

(*e*) for prohibiting or regulating the movement temporarily of crops, earth, soil, manure or other things into or out of a notified area; and

(*f*) generally for the preventing in any manner of the spread with the State of any plant disease.

Penalty.

5. For every breach of a rule or order made under this Regulation the offender on conviction by a Magistrate shall be liable to a fine not exceeding rupees five hundred:

Provided it shall be within the discretion of the Magistrate to discharge the offender with a warning in the case of a first offence.

No suit, prosecution, etc., against a person acting in good faith under this Regulation.

6. No suit, prosecution or other legal proceeding shall lie against any person for anything, in good faith, done or intended to be done under this Regulation.

M. VISVESVARAYA,
Dewan.

NOTIFICATION.

No. 255—*L. C., dated* 11*th December* 1916.

Under Rule 31 of the Rules for the conduct of business of the Mysore Legislative Council the following Bill to prevent the spreading of Plant Disease is published for general information together with a statement of objects and reasons.

By Order,
G. SREENIVASA IYER,
Secretary, Mysore Legislative Council.

A Bill to prevent the spreading of Plant Disease.

Whereas it is expedient to make provision for preventing the spreading of plant disease; His Highness the Maharaja is pleased to enact as follows:—

Short title, extent and commencement.

1. This Regulation may be called the destructive Insects and Pests Rugulation;

It shall extend to the whole of Mysore and it shall come into force at once.

Definitions.

2. In this Regulation, unless there is anything repugnant in the subject or context,—

(*a*) "crops" includes all agricultural or horticultural crops, and trees or bushes or herbs, the fruit or any other part of which is used for food of man or beast or for any purpose in connection with art or manufactures:

(*b*) "infection" means infection by an insect, fungus or other pest injurious to a crop:

(*c*) "plant disease" means any deterioration or destruction of any plant or part of a plant whether such deterioration or destruction is due to disease, insects, fungus or any other cause and whether communicable or otherwise.

Power of Government to declare infected districts or areas.

3. Government may, by notification in the official Gazette, declare any district, area or place within Mysore to be a place infected with a plant disease, during a period to be fixed in such notification.

Power of Government to make rules.

4. Government may, by notification in the official Gazette, make rules or orders for all or any of the following:—

(*a*) for the detention, inspection, disinfection or destruction of any article or class of articles in respect of which a notification has been issued under section 3 or of any article which may have been in contact or proximity thereto, and for regulating the powers and duties of the officers whom it may appoint in this behalf;

(*b*) for prescribing or regulating the destruction, removal, uprooting, disposal or treatment of crops or product of a vegetable nature within an infected district, area or place;

(*c*) for prescribing and regulating the cleansing and disinfecting of infected places or areas or parts thereof;

(*d*) for prescribing the period within which it will not be lawful to plant or re-plant with any crop whatsoever or with any particular kind of crop the whole or any portion of an infected district, area or place;

(*e*) for prohibiting or regulating the movement temporarily of earth, soil, manure, vegetable products or other things into or out of an infected district, area or place; and

(*f*) generally for the preventing in any manner of the spread within the State of any plant disease.

Penalty.

5. For every breach of a rule or order made under this Regulation, the offender on conviction by a magistrate shall be liable to a fine not exceeding rupees five hundred.

No suit, prosecution, etc., against a person acting in good faith under this Regulation.

6. No suit, prosecution or other legal proceeding shall lie against any person for anything, in good faith, done or intended to be done under this Regulation.

STATEMENT OF OBJECTS AND REASONS.

This Bill is the outcome of a representation made by the Director of Agriculture in Mysore. It gives power to Government to take steps to eradicate or prevent the spread of plant disease. Action under the Bill would be taken in respect of certain crops only or in certain areas only as may be found necessary from time to time.

NOTIFICATION.

No. 511—L. C., dated the 11th June 1917.

Under Rule 40 of the Rules for the conduct of business of the Mysore Legislative Council, the following Report of the Select Committee appointed to consider the Bill to prevent the spreading of Plant Disease together with the Bill as amended by them is published for general information.

By Order,
G. SREENIVASA IYER,
Secretary, Mysore Legislative Council.

Report of the Select Committee on the Bill to prevent the spreading of Plant Disease.

We, the members of the Select Committee appointed to consider the Bill to prevent the spreading of Plant Disease, have the honour to submit the following report to the Council.

2. We have examined the Bill carefully and have made the following amendments:—

Clause 2.—As the definition of the word "infection" is practically contained in that of the expression "plant disease" we have omitted the former definition. And in order to make the expression, "plant disease" more comprehensive we have substituted a new definition of that expression.

We have also thought it necessary to insert a definition of the expression "notified area" as meaning any specified area or locality declared by Government to be infected with a plant disease under section 3, so that that expression may be conveniently substituted for the expression "an infected district, area or place" occurring in clause 4 (*b*) and (*d*).

Clause 3.—We think that it is desirable that not only should the area infected be notified under section 3 but that the particular crops infected should also be notified and have therefore substituted the following for the present clause 3, *viz.*

3. Government may, by notification in the official Gazette declare any specified area or locality within Mysore to be a place infected with a plant disease in respect of any specified crop during a period to be fixed in such notification."

Clause 4 (*c*).—We are of opinion that Government should have power to compensate the owners of crops ordered to be destroyed under this Regulation for the purpose of preventing the spread of any disease of a virulent character where the crops so destroyed are not themselves infected. We have therefore added the following words to clause 4 (*c*), *viz.*,

"And for providing for payment of compensation in proper cases."

Clause 5.—As the people are not familiar with the remedial measures that have to be adopted in the prevention of the spread of plant diseases we are of opinion that the first offence should be more leniently dealt with by the Magistrates and have therefore added a proviso to clause 5 as follows:—

"Provided it shall be within the discretion of the Magistrate to discharge the offender with a warning only in the case of a first offence."

3. The other amendments made are of a purely verbal nature.

4. We recommend that the Bill as amended be passed.

5. As the Bill has been materially amended we recommend that the Bill as amended by us be published in the official Gazette.

6. We also recommend to Government that in view of the highly technical nature of the measures that have to be adopted in working the Regulation it is necessary that before declaring any area as infected under section 3, the views of the raiyats in the area should be taken through the Deputy Commissioner concerned and that if possible local demonstrations should also be held to show to the people the baneful effects of the disease and the remedial measures proposed to be taken to overcome the same.

M. KANTARAJ URS,
K. S. DORASWAMI IYER,
M. BASAVA IYA,
S. SEETHARAMAIYA,
B. K. GARUDACHAR.

Mr. C. S. Balasundaram Iyer who was also a member of the Select Committee was absent from the meeting.

The Bill to prevent the spreading of Plant Disease.

(As amended by the Select Committee.)

[The portions in square brackets are those omitted and those in italics newly added by the Select Committee.]

Whereas it is expedient to make provision for preventing the spreading of plant disease; His Highness the Maharaja is pleased to enact as follows:—

Short title, extent and commencement.

1. This Regulation may be called the Destructive Insects and Pests Regulation.

It shall extend to the whole of Mysore and it shall come into force at once.

Definit.

2. In this Regulation, unless there is anything repugnant in the subject or context.

(*a*) "crops" includes all agricultural or horticultural crops [and] trees or bushes or herbs, the fruit or any other part of which is used for food of man or beast or for any purpose in connection with art or manufactures:

[(*b*) "infection" means infection by an insect, fungus or other pest injurious to a crop:]

(*b*) "*notified area*" *means any specified area or locality declared by Government to be infected with a plant disease under section 3*:

[(*c*) "plant disease" means any deterioration or destruction of any plant or part of a plant whether such deterioration or destruction is due to disease, insects, fungus or any other cause and whether communicable or otherwise.]

(*c*) "*plant disease*" *includes any disease affecting trees, plants, vegetables and crops caused by or consisting of the presence of any insect or fungus and any other disease affecting trees, plants, vegetables or crops which the Government may from time to time by a notification in the official Gazette declare to be a plant disease within the meaning of the Regulation and whether or not caused by or consisting of the presence of any insect or fungus.*

Power of Government to declare infected districts or areas.

[3. Government may, by notification in the official Gazette, declare any district, area or place within Mysore to be a place infected with a plant disease, during a period to be fixed in such notification.]

Power to declare infected area and crop.

3. Government may, by notification in the official Gazette declare any specified area or locality within Mysore to be a place infected with a plant disease in respect of any specified crop during a period to be fixed in such notification.

4. Government may, by notification in the official Gazette, make rules or orders for all or any of the following :—

Power of Government to make rules.

(*a*) For the [detention] *seizure*, inspection, disinfection or destruction of any *crops* [article or class of articles] in respect of which a notification has been issued under section 3 or of any article which may have been in contact or proximity thereto, and for regulating the powers and duties of the officers whom it may appoint in this behalf ;

(*b*) for prescribing or regulating the *treatment* [destruction], removal, uprooting, *destruction or* disposal [or treatment] of crops [or product of a vegetable nature] within [an infected district, area or place] *a notified area and for providing for payment of compensation in proper cases* ;

(*c*) for prescribing and regulating the cleansing and disinfecting of infected places or areas or parts thereof ;

(*d*) for prescribing the period within which it will not be lawful to plant or re-plant with any crop whatsoever or with any particular kind of crop the whole or any portion of [an infected district, area or place] *a notified area* ;

(*e*) for prohibiting or regulating the movement temporarily of *crops*, earth, soil, manure, [vegetable products] or other things into or out of [an infected district, area or place] *a notified area* ; and

(*f*) generally for the preventing in any manner of the spread within the State of any plant disease.

5. For every breach of a rule or order made under this Regulation, the offender on conviction by a Magistrate shall be liable to a fine not exceeding rupees five hundred.

Penalty.

Provided it shall be within the discretion of the Magistrate to discharge the offender with a warning in the case of a first offence.

6. No suit, prosecution or other legal proceeding shall lie against any person for anything, in good faith, done or intended to be done under this Regulation.

No suit, prosecution, etc., against a person acting in good faith under this Regulation.